

MAURICE COLLINS,	)	
	)	<b>Case No.:</b>
	)	
Plaintiff,	)	
	)	
<b>v.</b>	)	<b>COMPLAINT AND DEMAND FOR</b>
	)	<b>JURY TRIAL</b>
<b>NATIONAL STUDENT LOAN</b>	)	
<b>PROGRAM,</b>	)	
	)	<b>(Unlawful Debt Collections Practices)</b>
Defendant.	)	

MAURICE COLLINS (“Plaintiff”), by and through his counsel, Kimmel & Silverman, P.C., alleges the following against NATIONAL STUDENT LOAN PROGRAM (“Defendant”):

1. Plaintiff's Complaint is based on the Telephone Consumer Protection Act ("TCPA").

2. Jurisdiction of this Court arises pursuant to 28 U.S.C. § 1331. See Mims v. Arrow Fin. Services, LLC, 132 S. Ct. 740, 747, 181 L. Ed. 2d 881 (2012).



1           15. Defendant's telephone calls were not made for "emergency purposes."

2           16. Rather, Defendant was calling Plaintiff regarding his student loan debt.

3           17. In January 2015, Plaintiff revoked any consent previously given to Defendant to  
4 place telephone calls to his cellular telephone number.

5           18. However, Defendant ignored Plaintiff's revocation and called him for several  
6 months thereafter.

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8                                   **COUNT I**  
9                                   **DEFENDANT VIOLATED THE**  
10                                  **TELEPHONE CONSUMER PROTECTION ACT**

11           19. Plaintiff incorporates the forgoing paragraphs as though the same were set forth  
12 at length herein.

13           20. Defendant initiated multiple automated telephone calls to Plaintiff's cellular  
14 telephone using a prerecorded voice.

15           21. Defendant initiated these automated calls to Plaintiff using an automatic  
16 telephone dialing system.

17           22. Defendant's calls to Plaintiff were not made for emergency purposes.

18           23. Defendant's calls to Plaintiff, after January 2015, were not made with Plaintiff's  
19 prior express consent.

20           24. Defendant's acts as described above were done with malicious, intentional,  
21 willful, reckless, wanton and negligent disregard for Plaintiff's rights under the law and with the  
22 purpose of harassing Plaintiff.  
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1           25.    The acts and/or omissions of Defendant were done unfairly, unlawfully,  
2 intentionally, deceptively and fraudulently and absent bona fide error, lawful right, legal  
3 defense, legal justification or legal excuse.

4           26.    As a result of the above violations of the TCPA, Plaintiff has suffered the losses  
5 and damages as set forth above entitling Plaintiff to an award of statutory, actual and trebles  
6 damages.

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8           WHEREFORE, Plaintiff, MAURICE COLLINS, respectfully prays for judgment as  
9 follows:

- 10                   a.       All actual damages suffered pursuant to 47 U.S.C. §227(b)(3)(A);  
11                   b.       Statutory damages of \$500.00 per violative telephone call pursuant to 47  
12                               U.S.C. §227(b)(3)(B);  
13                   c.       Treble damages of \$1,500 per violative telephone call pursuant to 47  
14                               U.S.C. §227(b)(3);  
15                   d.       Injunctive relief pursuant to 47 U.S.C. §227(b)(3); and  
16                   e.       Any other relief deemed appropriate by this Honorable Court.  
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18  
19                               **DEMAND FOR JURY TRIAL**

20           PLEASE TAKE NOTICE that Plaintiff, MAURICE COLLINS, demands a jury trial in  
21 this case.  
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23  
24  
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**CERTIFICATION PURSUANT TO L.CIV.R.11.2**

I hereby certify pursuant to Local Civil Rule 11.2 that this matter in controversy is not subject to any other action pending in any court, arbitration or administrative proceeding.

Respectfully submitted,

Dated: July 21, 2017

By: /s/ Amy L. B. Ginsburg  
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